UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,713	09/05/2000	Stephen R. Carter	6647-15	8261

45842 7590 09/15/2005

MARGER JOHNSON & MCCOLLOM, P.C. - NOVELL
1030 SW MORRISON STREET
PORTLAND, OR 97205

EXAMINER	
SPOONER, LAMONT M	

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,713	CARTER ET AL.	
	Examiner	Art Unit	
	Lamont M. Spooner	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 February 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 February 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/11/05, 11/17/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *See Continuation Sheet*.

Continuation of Attachment(s) 6). Other: IDS cont.: 6/25/04, 4/16/01, 3/15/02.

DETAILED ACTION

1. This Office Action is in response to communication filed 02/07/05. Claims 1-16, 20-25 are pending.

Response to Arguments

2. Applicant's arguments, see remarks, filed 2/7/05, with respect to the rejection under 35 USC 112, paragraph one, have been fully considered and are persuasive. The rejection of claims 6-13, 15-22, and 24 have been withdrawn.

3. Applicant's remaining arguments filed 2/7/05 have been fully considered but they are not persuasive.

- In response to applicant's arguments, p.13.para. 2, "since a tree cannot have multiple paths between a pair of nodes, the trees of Conklin do not anticipate the directed set of the instant invention. The Examiner cannot concur. The directed set does not have to have multiple paths, so a tree is a degenerate directed set, for example if applicant's "directed set" is identical to Conklin's hierarchical ontology, including a highest level node, C.7.lines 40-50, interpreted as his directed set, without multiple paths, the applicant then has a directed set identical to Conklin's claimed invention. Therefore Conklin's is interpreted to have a directed set.
- In response to applicant's arguments, p.13.para. 4, "But a consequence of having separate trees is that there can be no individual maximal element, ...Without anything tying the different trees together, there is no single maximal element that embraces every concept in every tree." However, this is

not claimed. p.14.para.1, applicant further argues, "compare the concept "apple" with the concept "Thursday": there is on common reference point by which the concepts can be compared." The Examiner cannot concur, as the concept parent element could possibly be words. Therefore, it should be clear that Conklin teaches state vectors, as presented in the previous rejections, as used in applicant's claims, and makes obsolete applicant's arguments regarding Luciw, p.14.para 3, where applicant relies on "As argued above, Conklin fails to teach or suggest state vectors as claimed."

- In response to applicant's arguments, p.16.para 6, "But Euclidean distance can only measure a distance between two vectors." the applicant claims, claim 20, "measuring a Euclidean distance between the impact summary centroid vector and the template centroid vector". Therefore, the Examiner cannot locate in the claim, where the applicant claims measuring a distance between a plurality of vectors, using the well know Euclidean method of measuring distance in a spatial environment.

Claim Objections

4. Claim 1 is objected to because of the following informalities:

In claim 1, lines 10 and 11, "each chain" should probably be - -each intentional stance basis chain- -, in line 10, "the directed links" has antecedent issues, in line 15, "each state vector" should probably be - -each state vector in said topological vector space- -, "the concept" has antecedent issues.

In claim 3, lines 3, 4 "each action" should probably be - -each associated action- - .

In claim 4, line 1, "assigning an action" should probably be - -associating an action- -, in line 3, "each action" should probably be - -each of said assigned actions- -.

In claim 16, line 6, "each concept" should probably be - -each of said plurality of concepts- -, in line 9, "each state vector" should probably be "each state vector in said topological vector space- -.

Claims 6, 23, 24 and 26 have similar informalities as claim 1

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1-13 and 23-26 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation "for each pair of concepts in each chain, one of the pair of concepts is a linear ancestor of the other par of concepts" is not described in the specification as to enable one of ordinary skill in the art on how to use or make it. In fact, reading the specification of figure 4 on pages 11 and 12, there is no mention of such limitation. The Applicant is advised to point out how this limitation is enabled and where this limitation can found in the specification.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-13 and 23-26 are rejected under 35 U.S.C. 1 12, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation " where for each pair of concept in each chain, one of the pair of concept is a lineal ancestor of the other of the pair of concepts" is vague and indefinite because of the following reason: If the pair of concept in a chain is chosen to be the maximal element and the last concept of the chain, there would not be any ancestor for this pair of concept or one of the pair of concept would not be an ancestor of a lineal of the other of the pair of concept. For instance if "thing 305" and "iguana 56" is chosen for a pair of concept, it is unclear which one of the pair of concept is a lineal ancestor of the other of the pair of concept.

In claim 15, lines 5, 6, "the impact summary" lacks antecedent basis.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Conklin et al. (herein referred to as Conklin, US Patent No. 6,363,378 filed Oct. 13, 1998) in view of Luciw et al. (herein referred to as Luciw, US Patent No. 5,390,281 Feb. 14, 1995).

Conklin and Luciw are analogous art in that they involve computer implemented information comparison.

As per **claims 14**, Conklin discloses an apparatus for building a template specifying an emotional response to a content stream, the apparatus comprising:

a computer (Fig. 8);

a directed set stored in the computer including a plurality of concepts (Fig. 3 item 200, C.10.lines 31-51), one concept identified as a maximal element, and a plurality of chains extending from the maximal element to each concept (C.7.lines 39-50, dictionary-C.12.lines 1-45);

an intentional stance basis including a subset of the plurality of chains (Fig. 6, C.12.lines 1-18-""places of interest" is a subcategory under the category "tourisim", "is a" being the basis, each chain contains the basis, "is a" as a categorical relation to it's parent, thus forming an intentional stance basis chain);

for selected concepts in the directed set (Fig. 5 items 410-490), a state vector in a topological vector space (C.4.lines 39-C.5.line 15-document theme vector), wherein each state vector includes at least one measure of how concretely the concept is represented in each chain in the intentional stance basis (C.7.line 62-C.9.line 26-each theme/node vector, interpreted as a first plurality of state vectors contain a parent and descendant weight identifying how concretely the concept is represented in each chain in the basis);

Conklin does not disclose:

a template including the state vectors; and

an action associated with the template.

However, Luciw teaches assembling information into a template and associating an action with the template (C.8.lines 3-55, C.11.lines 10-32). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Conklin with Luciw by placing the state vectors into a template and associating an action with the template. The motivation for doing so would have been to generate templates which contain directed information slots to perform a task upon meeting satisfying conditions (C.7.lines 55-63, C.11.lines 21-32).

11. Claims 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conklin in view of Luciw and further in view of Castelli et al. (herein referred to as Castelli, US Patent No. 6,122,628, Oct. 31, 1997).

Luciw and Castelli are analogous art in that they involve computer implemented information comparison.

As per **claim 17**, claim 17 sets forth limitations similar to claim 14 and is thus rejected for the same reasons and under the same rationale. Conklin lacks a threshold distance.

However, Luciw teaches (C.13.lines 13-41) a threshold distance. Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Conklin with Luciw by including a threshold distance. The motivation for doing so would have been to allow a threshold level to initiate an action automatically (C.13.lines 26-34).

Conklin in view of Luciw lack an impact summary including a second plurality of state vectors in a topological vector space and constructing the template in a topological vector space, the template including an associated action and threshold distance;

constructing an impact summary for the content stream; and

comparing the impact summary with the template.

However, Castelli teaches (C.9.lines 45-53, Fig. 5) constructing a template in a topological vector space, constructing an impact summary for a content stream (C.11.line 9-C.12.line 61-through singular value decomposition, from a content stream, a reduced dimension cluster is generated, which is interpreted as the impact summary from vector information in a topological vector space, interpreted as the second plurality of state vectors), and comparing the impact summary with the template (Fig. 5). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Luciw with Castelli by constructing a template have an associated action and threshold distance, in a topological vector space. The motivation for doing so would have been to measure the distance between the template and another object in a topological vector space order to detect similarity (C.5.lines 12-20, C.7.lines 17-20, C.9.lines 55-60).

As per **claims 18**, Conklin, Luciw and Castelli make obvious all of the limitations of claim 17, upon which claim 18 depends. Luciw further discloses:

comparing the summary with the template (C.12.lines 24-62);

Conklin in view of Luciw do not disclose:

comparing the impact summary with the template includes measuring a distance between the impact summary and the template.

However, Castelli teaches (C.9.line 16-C.10.line 56) measuring a distance between a impact summary and a template (Fig. 5). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Conklin and Luciw with Castelli by measuring a distance between the impact summary and the template. The motivation for doing so would have been to use distance, which is the most commonly used similarity measure between two vectors, to determine the similarity between an impact summary and a template (C.7.lines 52-61).

As per **claim 19**, Conklin, Luciw and Castelli make obvious all of the limitations of claim 18, upon which claim 19 depends. Conklin in view of Luciw does not disclose:

the template includes a template centroid vector located from the first plurality of state vectors; and

the impact summary includes an impact summary centroid vector located from the second plurality of state vectors.

However, Castelli teaches (Fig. 5, C.9.line 15-C.10.line 56, centroidal clusters are centroid 1, centroid 2, "produce a representative vector for each cluster, see claim 17 for first and second plurality of state vectors). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Conklin and Luciw with Castelli by having centroid vectors fora template and impact summary. The motivation for doing so would have been to generate a searchable index based on centroidal information (C.10.lines 42-56).

As per **claim 20**, Conklin, Luciw and Castelli make obvious all of the limitations of claim 19, upon which claim 20 depends. Luciw does not disclose:

the means for measuring a distance between the impact summary and the template includes means for measuring a Euclidean distance between the impact summary centroid vector and the template centroid vector (.

However, Castelli teaches (C.9.line 16-C.10.line 56) the means for measuring a distance between the impact summary and the template includes means for measuring a Euclidean distance (C.9.lines 45-55, C.14.lines 27-67-Euclidean distance measured from the template vector and the dimension reduction information interpreted as the impact summary, the centroid vectors as explained in claim 19, wherein the Examiner interprets the Euclidean distance between the individual template centroid vector, and the impact summary vector) between the impact summary and the template. Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Conklin and Luciw with Castelli by measuring an Euclidean distance between an impact summary and a template. The motivation for doing so would have been to use a well know method of Euclidean distance, which is a common used distance measuring method between two vectors, to determine the similarity between an impact summary and a template (C.7.lines 52-61).

As per **claim 21**, Conklin, Luciw and Castelli make obvious all of the limitations of claim 18, upon which claim 21 depends. Luciw further discloses:

performing the action associated with the template (C.16.lines 64-67) if the distance between the summary and the template (C.13.lines 13-15)) is less than the threshold distance of the template (C.17.lines 1-18).

Conklin in view of Luciw do not disclose:

the summary is an impact summary.

However, Castelli teaches constructing an impact summary (C.6.lines 6-21). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Conklin and Luciw with Castelli by incorporating an impact summary. The motivation for doing so would have been to measure the distance between the template and an impact summary in a topological vector space order to detect similarity (C.5.lines 12-20, C.7.lines 17-20, C.9.lines 55-60) in order to determine an appropriate action to perform.

Double Patenting

12. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

13. Claim 1 is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 09/654,660, ('660) in view of Application No. 09/512,963 ('963) and further in view of Application No. 09/615,726 ('726) .

As per **claims 1, 14, 17, 23, and 26**, '660 discloses A computer-implemented method for building a template specifying an emotional response to a content stream, the method comprising: Selecting a dictionary, the dictionary including a plurality of concepts to form a directed set, wherein one concept is a maximal element (claim 1-lines 3-4);

selecting a subset of intentional stance basis chains to form a basis (claim 1, line 6 -his set of chains interpreted to include subset of chains, his basis interpreted as intentional stance, claim 13, line 7-his subset);

selecting at least once concept in the dictionary (claim 1 line 7);

creating a state vector in a topological vector space for each selected concept, wherein each state vector includes as at least one measure of how concretely the concept is represented in each chain in the basis (claim 1 lines 8-10);

assembling the state vectors into a template (claim 1 lines 11, 12-his state vectors interpreted to include a first subset of state vectors); and

associating an action with the template (claim 1 lines 18, 19-his enforced policy as the action as it is interpreted to be associated with the template by a threshold distance), but lacks teaching

establishing a directed link between at least a first concept and a second concept in the directed set, the directed link defining an "is a" relationship between the first concept and the second concept;

establishing intentional stance basis chains in the directed set from the maximal element to each concept along the directed links, where for each pair of concepts in each chain, one of the pair of concepts is a lineal ancestor of the other of the pair of concepts;

However, '963 teaches, establishing a directed link between at least a first concept and a second concept in the directed set, the directed link defining an "is a" relationship between the first concept and the second concept (Claim 1 lines 6-8);

establishing intentional stance basis chains in the directed set from the maximal element to each concept along the directed links, where for each pair of concepts in each chain, one of the pair of concepts is a lineal ancestor of the other of the pair of concepts (claim 1 lines 9-11-his basis interpreted as intentional stance"). Therefore, at the time of the invention, it would have been obvious to modify '660 with '693 by having a directed link "is a" relationship and having lineal ancestors of the other concepts. The motivation for doing so would have been to define a relationship between each concept '963 lines 6, 7).

As per **claims 2 and 15**, '660 and '693 make obvious claim 1, and '660 further teaches wherein associating an action includes assigning a threshold distance to the action so that the action will be performed when the content stream is within the

threshold distance of the template (claim 1 lines 18, and 19-inherent to the policy enforced at a distance).

As per **claims 3 and 16**, '660 and '693 make obvious claim 2, and '660 further teaches wherein associating an action includes associating a plurality of actions with the template (claims 2 and 3, his policy to limit bandwidth, his policy to limit access to a document); and assigning a threshold distance includes assigning a unique threshold distance to each action so that the action will be performed when the content stream is within the assigned threshold distance of the template (claim 1 lines 18, and 19-interpreted as each threshold is unique to the policy enforced from claims 2 and 3).

As per **claim 4**, '660 and '693 make obvious claim 3, and '660 further teaches assigning an action includes assigning a plurality of actions to be performed (claims 2 and 3) when the content stream is within one of a plurality of threshold distances of the template (claim 1 line 18 and 19, his "a threshold distance", each action to be performed when the content stream is within a unique range of distances of the template (claims 2 and 3 his policies as explained in claim 2).

As per **claims 6 and 24**, '660 and '693 set forth limitations similar to claim 1, and is rejected for the same reasons. "660 further teaches, constructing an impact summary for the content stream (claim 1 line 16), the impact summary including a plurality of state vectors (claim 1 line 16, 17); and comparing the impact summary with the template (claim 1 line 18, 19-interpreted as inherently compared due to the enforced policy...impact summary ...within threshold distance).

As per **claims 7 and 18**, '660 and '693 make obvious claim 3, and '660 further teaches wherein comparing the impact summary with the template includes measuring a distance between the impact summary and the template (claim 21).

As per **claim 8**, '660 and '693 make obvious claim 3, and '660 further teaches measuring a distance includes performing a topological vector space transformation on the impact summary (claim 5 lines 4, 5-his constructing the impact summary...in the topological vector space)

As per **claims 9 and 21**, '660 and '693 make obvious claim 3, and '660 further teaches performing the action associated with the template if the distance between the impact summary and the template is less than the threshold distance of the template (claim 1, lines 18, 19-his enforced policy, and his "within" interpreted as less).

14. Claims 5, is provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 09/654,660, ('660) in view of Application No. 09/512,963 ('963) and further in view of Application No. 09/615,726 ('726) .

As per **claim 5**, '660 and '693 make obvious claim 1, but lack constructing a centroid vector for the template from the state vectors.

However, '726 teaches constructing a centroid vector for the template from the state vectors (claim 17, lines 15, 16-his state vectors ... into semantic abstract, claim 19-his centroid vector for semantic abstract, the semantic abstract is interpreted as the template). Therefore, at the time of the invention, it would have been obvious to modify '660 with '726 by having a centroid vector for a set of state vectors. The motivation for

doing so would have been to have a way to measure a distance between state vectors in a topological vector space (claim 19).

As per **claim 10,** '660 and '693 make obvious claim 7, but lack measuring a distance includes locating a centroid vector for each of the template and the impact summary. However, '726 teaches measuring a distance includes locating a centroid vector for each of the template and the impact summary (claim 19-his each semantic abstract, the Examiner interprets the semantic abstracts to be one of a template and impact summary). Therefore, at the time of the invention, it would have been obvious to modify '660 with '726 by having a centroid vector for impact summary and template vectors. The motivation for doing so would have been to have a way to measure a distance between state vectors in a topological vector space (claim 19).

As per **claim 11,** '660, '693 and '726 make obvious claim 10, but lack measuring a distance further includes measuring an angle between the template centroid vector and the impact summary centroid vector. However, '726 further teaches measuring a distance further includes measuring an angle between the template centroid vector and the impact summary centroid vector (claim 20-his centroid vectors as template and impact summary centroid vectors). Therefore, at the time of the invention, it would have been obvious to modify '660 with '726 by having a centroid vector for impact summary and template vectors. The motivation for doing so would have been to have a way to measure a distance between state vectors in a topological vector space (claim 19).

As per **claims 19, and 20**, claims 19 and 20 sets forth limitations similar to claims 10 and 11 and are rejected for the same reasons. '726 teaches also measuring a Euclidean distance...(Claim 21).

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms
8/24/05

RICHEMOND DORVIL
SUPERVISORY PATENT EXAMINER